

## REMARKS

Claims 1-23 are pending in the application. Claims 1-23 stand rejected by the examiner. Assignee traverses the rejections of claims 1-23.

### *Claim Rejections - 35 U.S.C. § 103*

Claims 1-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Purnaveja et al. (U.S. Patent No. 6,230,172) in view of Nakayama et al. (U.S. Patent No. 6,493,748). The rejection is traversed.

Claim 1 is directed to a method for integrating video data with a document object that includes document elements. Claim 1 recites in combination with its other limitations that a synchronization file is associated with the video data so that the activity involving the video data appears on a computer-human display as integrated with the document object through the use of the synchronization association. For example, this approach can be used to allow a video clip of a person to seamlessly appear on a web page such that the video clip of a person appears to be interacting with items on the web page, such as walking around in, sitting in, talking about and pointing to text or objects in a virtual or real web page background.

Claim 1 has been rejected based upon a combination of the Purnaveja and Nakayama references. Assignee respectfully disagrees with this rejection. For example, the office action asserts that Nakayama teaches associating a synchronization file with the video data at col. 13, lines 9-37. At col. 13, lines 9-37, Nakayama discloses a synchronization file for use with streaming content. However, Nakayama does not disclose a synchronization file that is used to interrelate activity of the video data with an

activity of the document object as required by claim 1. As such, Assignee respectfully asserts that this is an impermissible combination of old elements. Virtually all inventions are necessarily combinations of old elements. The notion therefore, that combination claims can be declared invalid merely upon finding similar elements in separate prior patents would necessarily destroy virtually all patents and cannot by the law under the statute, Section 103. The law is clear that there must be some suggestion or incentive to use the construction in Assignee's claims. For example, the Court of Appeals for the Federal Circuit in ACS Hosp. Sys., Inc. v. Montefiore Hosp., 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984) stated: "Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching or suggestion supporting the combination."

Assignee respectfully submits that the combination of the cited references to render claim 1 obvious is a result of hindsight and that the references lack any suggestion or incentive for combination. Accordingly, claim 1 and its dependent claims are allowable over the cited references.

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### CONCLUSION

For the foregoing reasons, Assignee respectfully submits that claims 1-23 should be allowed. Therefore, the examiner is respectfully requested to pass this case to issue.

Respectfully submitted,

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